

**Arent Fox**

2012 OCT 12 PM 3:44

OFFICE OF FEDERAL  
ELECTION COMMISSION

RECEIVED

2012 OCT 12 PM 2:33

FEC MAIL CENTER

October 12, 2012

BY HAND DELIVERY

Jeff S. Jordan  
Supervisory Attorney  
Complaints Examination &  
Legal Administration  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

**Brett G. Kappel**

Counsel  
202.857.6494 DIRECT  
202.857.6395 FAX  
kappel.brett@arentfox.com

Reference Number  
033487.00000

Re: RR 12L-82  
Ron Paul 2012 Presidential Campaign Committee, Inc.

Dear Mr. Jordan:

This response to RAD referral 12L-82, including attached exhibits, is submitted on behalf of the Ron Paul 2012 Presidential Campaign Committee, Inc. ("Ron Paul 2012" or "the Committee") and Lori Pyeatt, in her official capacity as treasurer. The RAD referral is primarily based on amendments to the Committee's 2011 October Quarterly Report and the 2011 Year End Report, which disclosed additional receipts of \$501,700 that were not reflected on the original reports. The additional receipts are attributable to the initial omission of two transactions – a transfer from another authorized committee and an in-kind contribution – out of the tens of thousands of transactions reported by Ron Paul 2012 during the 2011-2012 election cycle. In both cases, Ron Paul 2012 discovered the omissions itself by double-checking its recordkeeping entries and reconciling its committee records with bank statements. Upon discovering the omissions, the Committee expeditiously filed amended reports to correct the omissions and changed its internal procedures to prevent similar omissions from being repeated in the future. The Committee is incredulous that it is now facing the possibility of an enforcement action precisely because it did the right thing and filed amended reports to correct two inadvertent omissions.

The Federal Election Campaign Act does not require perfection. Instead, "[when the treasurer of a political committee shows that best efforts have been used to obtain, maintain and submit the information required by [the] Act for the political committee, any records of such committee shall be considered in compliance with [the] Act. 2 U.S.C. § 431(i). See also 11 C.F.R. § 104.7(a). The Commission has stated that the "best efforts" test applies "not only to efforts made to obtain contributor information . . . but also to efforts made to obtain other information, to maintain all information required by the statute, and to submit required

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information on disclosure reports." Statement of Policy Regarding Treasurers' Best Efforts to Obtain, Maintain, and Submit Information as Required by the Federal Election Campaign Act, 72 Fed. Reg. 31438, 31439-40 (June 7, 2007)(hereinafter "Best Efforts Statement of Policy").

In light of this policy and for all the reasons stated below, Ron Paul 2012 and Lori Pyeatt, in her official capacity as treasurer, request that the Commission decline to open a Matter Under Review and take no further action based on the referral from the Reports Analysis Division.

### 2011 Year-End Report

The principal reason for the RAD referral appears to be that Ron Paul 2012 initially failed to report receiving a transfer from another authorized committee on its 2011 Year-End Report. Ron Paul 2012 discovered the omission in the course of its regular review of campaign records and bank statements and filed an amended 2011 Year-End Report disclosing the transfer less than three weeks after the initial 2011 Year-End Report was filed. In addition, the fact that the transfer had occurred was always public record because it had been reported accurately on the 2011 Year-End Report filed by the other authorized committee.

Rep. Ron Paul (R-TX) operated two authorized committees during the 2011-2012 election cycle, the Ron Paul 2012 Presidential Campaign Committee, Inc., his presidential campaign committee, and the Committee to Re-Elect Ron Paul (the "Committee to Re-Elect"), the campaign committee supporting Rep. Paul's re-election to the House of Representatives. Lori Pyeatt serves as the treasurer of both Ron Paul 2012 and the Committee to Re-Elect and the two authorized committees share staff who are responsible for preparing the FEC reports for both committees.

On December 1, 2011, the Committee to Re-Elect transferred \$500,000 to Ron Paul 2012. Accordingly, this transfer between authorized committees should have been reported as an expenditure on the 2011 Year-End Report for the Committee to Re-Elect and as a receipt on the 2011 Year-End Report for Ron Paul 2012. The treasurer and campaign staff prepared both reports contemporaneously during January 2011. The 2011 Year-End Report filed by the Committee to Re-Elect accurately reported the \$500,000 transfer to Ron Paul 2012. See 2011 Year-End Report for the Committee to Re-Elect (attached as Exhibit A). Accordingly, the fact that the transfer occurred has been public record since the Committee to Re-Elect's 2011 Year-End Report was filed with the Commission on January 16, 2012.

The 2011 Year-End Report for Ron Paul 2012 was voluminous – over 10,000 pages long disclosing tens of thousands of individual transactions, including more than \$13,000,000 in receipts. During the preparation of the report, the campaign staff remembered entering the information regarding the transfer from the Committee to Re-Elect into the computer system used to prepare the reports filed by both committees and incorrectly thought that the information

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had been entered as a receipt from the Committee to Re-Elect and would be reflected as such on the 2011 Year-End Report for Ron Paul 2012. The 2012 Year-End Report for Ron Paul 2012 was filed with the Commission as required on January 31, 2012.

Two weeks later, the treasurer and campaign staff began preparing the 2012 February Monthly Report for Ron Paul 2012. Following the campaign's normal recordkeeping and reporting procedures, the treasurer and campaign staff reconciled the committee records with the committee's bank records and discovered that, while the \$500,000 transfer had been reported as an expenditure on the 2011 Year-End Report for the Committee to Re-Elect, it had not been reported as a receipt on the 2011 Year-End Report for Ron Paul 2012. The treasurer and campaign staff prepared an amended 2011 Year-End Report for Ron Paul 2012 that properly disclosed the receipt of the transfer from the Committee to Re-Elect and filed the amended report with the Commission on February 20, 2012 – less than three weeks after the initial 2011 Year-End Report was filed. See amended 2011 Year-End Report for Ron Paul 2012 (attached as Exhibit B). Campaign staff were re-trained on the need to ensure that transfers between the authorized committees were properly entered into the computer system as two separate transactions to two separate reports. In addition, the treasurer and campaign staff also added an additional step to their standard report preparation procedures to double check Line 18 on the reports filed by the Committee to Re-Elect and Ron Paul 2012 during every reporting period.

On March 14, 2012, the Reports Analysis Division sent Ron Paul 2012 a request for additional information (attached as Exhibit C) regarding the amended 2011 Year-End Report noting the substantial increase in receipts and requesting that Ron Paul 2012 “provide an explanation to clarify why this additional activity was not provided with [the] original reports.”<sup>1</sup> The treasurer for Ron Paul 2012 filed a timely response on April 18, 2012 (attached as Exhibit D) and explained that “The increase in receipts of \$500,000 on the 2011 Amended 2011 Year-End Report is a committee transfer from the Committee to Re-Elect Ron Paul that was inadvertently left off of the original filing. The amended report was filed to properly report this transfer.” Campaign staff for Ron Paul 2012 also spoke to the Committee's RAD Analyst, Christopher Whyrick, to discuss the Committee's discovery of the omission and the steps they had taken to correct the record and prevent similar omissions from occurring in the future.

In short, Ron Paul 2012 did everything a political committee is supposed to do when it discovers an omission from a previously filed report – it filed an amended report as soon as the omission was discovered, it reviewed and revised its recordkeeping and reporting procedures to prevent

<sup>1</sup> The March 14, 2012 letter from the Reports Analysis Division also asked for an explanation for \$5,649.65 in additional expenditures that were reported on the amended 2011 Year-End Report that did not appear on the original 2011 Year-End Report. See Exhibit C. Ron Paul 2012 responded that this figure represented the net effect of changes made to correct the itemization of expenses on the 2012 Year-End Report. See Exhibit D.

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similar omissions from occurring again and it discussed the omission with the committee's RAD analyst.

### 2011 October Quarterly Report

Secondarily, the RAD referral references additional receipts of \$1,700 that Ron Paul 2012 disclosed on the amended 2011 October Quarterly Report the Committee filed on January 31, 2012. This amendment was made to reflect the contribution of a gold coin jointly owned by seven individuals. The Commission has held that a campaign committee may accept contributions in the form of coins made from precious metals. If the coins are not U.S. currency, however, the Commission has said that they be should be treated as an in-kind contribution of a commodity to be liquidated. The value of the in-kind contribution is the fair market value of the commodity on the date the commodity was received by the committee. Advisory Opinion 1980-125 (Cogswell); *see also* Advisory Opinion 1987-32 (Polster). Commission regulations require that the fair market value of the in-kind contribution be reported during the reporting period in which the commodity is received, even if the commodity has not been liquidated by the close of the reporting period. 11 C.F.R. § 104.13(b)(1).

When Ron Paul 2012 prepared the original 2011 October Quarterly Report, the campaign staff was under the impression that the in-kind contribution was not reportable as a receipt because it had not been liquidated. In the course of preparing the 2011 Year-End Report, the treasurer and campaign staff reviewed the Committee's records, noted the in-kind contribution as an unresolved issue and consulted with counsel regarding the reporting of the in-kind contribution. When the treasurer and campaign staff were informed that the receipt of the coin was a reportable event, the treasurer and campaign staff prepared and filed an amendment to the 2011 October Quarterly Report that complied with all of the requirements of 11 C.F.R. § 104.13(b)(1). *See* amended 2011 October Quarterly Report for Ron Paul 2012 (attached as Exhibit E).

As noted previously, the Reports Analysis Division sent a request for additional information on March 14, 2012 regarding the amended 2011 October Quarterly Report and requesting an explanation for the \$1,700 increase in receipts. *See* Exhibit C. The treasurer for Ron Paul responded by explaining that the \$1,700 increase in receipts was attributable to in-kind contributions that had been mistakenly omitted from the original 2011 October Quarterly Report.

Here again Ron Paul 2012 did exactly what it was required to do when, in the course of double checking its records, it discovered information that was mistakenly omitted from a previously filed report – it filed an amendment to make full disclosure of the transaction and explained the amendment to the Committee's RAD Analyst.

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## Best Efforts Statement of Policy

The RAD referral is based primarily on the omission of two discrete transactions out of tens of thousands of transactions reported by Ron Paul 2012 on its 2011 October Quarterly and 2011 Year-End Reports. While any omission is regrettable, these two omissions do not justify the opening of a Matter Under Review. In both cases, the omission was caught by Ron Paul 2012 in the course of preparing its next regularly scheduled report and amendments were timely filed to both reports that made both transactions fully transparent long before the Reports Analysis Division raised any questions about the accuracy of the reports. It would be especially inequitable to open a Matter Under Review based on the omission of the transfer from the Committee to Re-Elect. The transfer was properly reported as an expenditure by the Committee to Re-Elect on its 2012 Year-End Report and was on the public record on January 16, 2012 – two weeks before the 2012 Year-End Report for Ron Paul 2012 was even due.

Moreover, the filing of these two amendments by Ron Paul 2012 fits squarely within the Commission's Best Efforts Statement of Policy and, accordingly may not be the basis for an enforcement action.

As noted previously, the Federal Election Campaign Act provides specifically that, "[when the treasurer of a political committee shows that best efforts have been used to obtain, maintain and submit the information required by [the] Act for the political committee, any records of such committee shall be considered in compliance with [the] Act. 2 U.S.C. § 431(i). The U.S. District Court for the District of Massachusetts found correctly that the best efforts test applies to all of the Act's the recordkeeping and reporting requirements – not just those provisions that govern whether or not reports are filed on time. *Lovely v. FEC*, 307 F. Supp. 2d 294, 299 (D. Mass. 2004).

Accordingly, the Commission's Best Efforts Statement of Policy states that the best efforts test applies to "efforts made to obtain other information, to maintain all information required by the statute, *and to submit required information on disclosure reports.*" Best Efforts Statement of Policy, 72 Fed. Reg. at 31440 (emphasis added). The Commission established a three-factor test to determine when a committee has shown that it has made its best effort to submit required information: (1) whether the committee took relevant precautions such as double checking recordkeeping entries, regular reconciliation of committee records with bank statements, and regular backup of all electronic files, (2) whether the committee had trained staff responsible for obtaining, maintaining and submitting campaign finance information in the requirements of the Act as well as the committee's procedures, recordkeeping systems and filing systems, and (3) whether, upon discovering the failure, the committee promptly took all reasonable additional steps to expeditiously file any unfiled reports "*and correct any inaccurate reports.*" *Id.*

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(emphasis added).<sup>2</sup> All three of these requirements were met by Ron Paul 2012. Indeed, it is precisely because Ron Paul 2012 had already trained its campaign staff to taken relevant precautions "such as double checking recordkeeping entries" and "regular reconciliation of committee records with bank statements" that the Committee was able to determine that required information had been omitted from the 2011 October Quarterly and 2011 Year-End Reports and was able to "promptly [take] all reasonable additional steps to expeditiously . . . correct any inaccurate reports." *Id.*

In light of this policy and for all the reasons stated above, Ron Paul 2012 and Lori Pyeatt, in her official capacity as treasurer, request that the Commission decline to open a Matter Under Review and take no further action based on the referral from the Reports Analysis Division.

Sincerely,



Brett G. Kappel  
Counsel for Ron Paul 2012 Presidential  
Campaign Committee, Inc and Lori Pyeatt, in  
her official capacity as treasurer

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<sup>2</sup> The Commission's test also includes a fourth factor— whether a committee's failure to file a required report was a result of reasonably unforeseen circumstances beyond the control of the committee — but this factor appears to apply only to whether a required report was timely filed, not whether a report that was timely filed contained all the required information. *Id.*

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**EXHIBIT A**

**FEC  
FORM 3****REPORT OF RECEIPTS  
AND DISBURSEMENTS**  
For An Authorized Committee

Office Use Only

1. NAME OF  
COMMITTEE (In full)

TYPE OR PRINT ▼

Example: If typing, type  
over the lines.

12FE4M5

Committee to Re-Elect Ron Paul

ADDRESS (number and street)

837 W Plantation Dr

Check if different  
than previously  
reported. (ACC)

Clute

TX

77531

2. FEC IDENTIFICATION NUMBER ▼

CITY ▲

STATE ▲

ZIP CODE ▲

STATE ▼ DISTRICT

C C00305342

3. IS THIS  
REPORT☒NEW  
(N)

OR

AMENDED  
(A)

TX

14

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

April 15 Quarterly Report (Q1)

July 15 Quarterly Report (Q2)

October 15 Quarterly Report (Q3)

☒ January 31 Year-End Report (YE)

Termination Report (TER)

(b) 12-Day PRE-Election Report for the:

Primary (12P)

General (12G)

Runoff (12R)

Convention (12C)

Special (12S)

Election on

in the  
State of

(c) 30-Day POST-Election Report for the:

General (30G)

Runoff (30R)

Special (30S)

Election on

in the  
State of

5. Covering Period

10

01

2011

through

12

31

2011

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer Lori Pyeatt

Signature of Treasurer

Lori Pyeatt

[Electronically Filed]

Date

01

18

2012

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g.

Office  
Use  
Only**FEC FORM 3**  
(Revised 02/2003)



# **SCHEDULE B (FEC Form 3) ITEMIZED DISBURSEMENTS**

Use separate schedule(s)  
for each category of the  
Detailed Summary Page

FOR LINE NUMBER:  
(check only one)

PAGE 44 OF 48

☐ 17 ☒ 18 ☐ 19a ☐ 19b  
☐ 20a ☐ 20b ☐ 20c ☐ 21

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)

**Committee to Re-Elect Ron Paul**

Full Name (Last, First, Middle Initial)

**A. Ron Paul 2012 PCC Inc.**

Mailing Address **845 W Plantation Dr**

City \_\_\_\_\_ State **TX** Zip Code **77531**

Purpose of Disbursement  
**Transfer of Funds**

Candidate Name

**Ron Paul**

Category/  
Type

Office Sought:

☐ House  
☐ Senate  
☒ President

Disbursement For: 2012

☒ Primary ☐ General  
☐ Other (specify)

State: **TX**

District: **00**

Date of Disbursement

**12 01 2011**

Amount of Each Disbursement this Period

**500000.00**

Transaction ID: **0856802**

Full Name (Last, First, Middle Initial)

**B.**

Mailing Address

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Purpose of Disbursement

Candidate Name

Category/  
Type

Office Sought:

☐ House  
☐ Senate  
☐ President

Disbursement For:

☐ Primary ☐ General  
☐ Other (specify)

State:

District:

Date of Disbursement

Amount of Each Disbursement this Period

Full Name (Last, First, Middle Initial)

**C.**

Mailing Address

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Purpose of Disbursement

Candidate Name

Category/  
Type

Office Sought:

☐ House  
☐ Senate  
☐ President

Disbursement For:

☐ Primary ☐ General  
☐ Other (specify)

State:

District:

Date of Disbursement

Amount of Each Disbursement this Period

**500000.00**

**500000.00**

SUBTOTAL of Disbursements This Page (optional) .....

TOTAL This Period (last page this line number only) .....

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**EXHIBIT B**

**FEC  
FORM 3P**
**REPORT OF RECEIPTS  
AND DISBURSEMENTS**

 BY AN AUTHORIZED COMMITTEE OF A CANDIDATE  
FOR THE OFFICE OF PRESIDENT OR VICE PRESIDENT

Office Use Only

1. NAME OF COMMITTEE (in full, type or print)

Example: If typing, type over the lines. 12FE4M5

Ron Paul 2012 Presidential Campaign Committee Inc.

ADDRESS (number and street))

845 W Plantation Dr

 Check if different  
than previously  
reported. (ACC)

City

TX

77531

CITY

STATE

ZIP CODE

2. FEC IDENTIFICATION NUMBER

C C00495820

3. THIS REPORT IS FOR Primary or General

4. TYPE OF REPORT (Choose One)

Check here if this is a Termination Report (TER)

Quarterly Reports:

Monthly Reports:

April 15 (Q1)

October 15 (Q3)

Feb 20 (M2)

May 20 (M5)

Aug 20 (M8)

Nov 20 (M11)

July 15 (Q2)

X January 31 Year-End Report (YE)

Mar 20 (M3)

Jun 20 (M6)

Sep 28 (M9)

Dec 20 (M12)

Apr 20 (M4)

Jul 20 (M7)

Oct 20 (M10)

Jan 31 (YE)

Thirtieth day report following the General Election

on

Twelfth day report preceding

election

on

In the State of

Is this Report an Amendment?

X

yes no

5. Covering Period

10

01

2011

through

12

31

2011

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

Lori Pyeatt

Signature of Treasurer

Lori Pyeatt

(Electronically Filed)

Date

02 / 20 / 2012

 NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g.  
All previous versions of this form are obsolete and should no longer be used.
Office  
Use  
Only

# **SCHEDULE A-P** **ITEMIZED RECEIPTS**

Use separate schedule(s)  
for each category of the  
Detailed Summary Page.

FOR LINE NUMBER:  
(check only one)

PAGE 13889 / 16338

☐ 16 ☐ 17a ☐ 17b ☐ 17c ☐ 17d ☒ 18  
☐ 19a ☐ 19b ☐ 20a ☐ 20b ☐ 20c ☐ 21

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)

**Ron Paul 2012 Presidential Campaign Committee Inc.**

**A. Full Name (Last, First, Middle Initial)**

**Committee to Re-Elect Ron Paul**

Mailing Address **237 W Plantation Dr**

City State Zip Code  
Clute TX 77531

FEC ID number of contributing  
federal political committee.

**C**

Name of Employer

Occupation

Receipt For: 2012

☒ Primary ☐ General  
☐ Other (specify) ▼

Election Cycle-to-Date ▼

**1000500.00**

Transaction ID : 0017062

Date of Receipt

12 / 01 / 2011

Transfer from authorized committee

Amount of Each Receipt this Period

**500000.00**

**B. Full Name (Last, First, Middle Initial)**

Mailing Address

City State Zip Code

FEC ID number of contributing  
federal political committee.

**C**

Name of Employer

Occupation

Receipt For:

☐ Primary ☐ General  
☐ Other (specify) ▼

Election Cycle-to-Date ▼

Date of Receipt

12 / 01 / 2011

Amount of Each Receipt this Period

**C. Full Name (Last, First, Middle Initial)**

Mailing Address

City State Zip Code

FEC ID number of contributing  
federal political committee.

**C**

Name of Employer

Occupation

Receipt For:

☐ Primary ☐ General  
☐ Other (specify) ▼

Election Cycle-to-Date ▼

Date of Receipt

12 / 01 / 2011

Amount of Each Receipt this Period

Subtotal Of Receipts This Page (optional)

**500000.00**

Total This Period (last page this line number only)

**500000.00**

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**EXHIBIT C**



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

March 14, 2012

LORI PYEATT, TREASURER  
RON PAUL 2012 PRESIDENTIAL CAMPAIGN  
COMMITTEE INC.  
845 WEST PLANTATION DRIVE  
CLUTE, TX 77531

Response Due Date  
04/18/2012

IDENTIFICATION NUMBER: C00495820

REFERENCE: AMENDED YEAR-END REPORT (10/01/2011 - 12/31/2011), RECEIVED  
02/20/2012

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. Failure to adequately respond by the response date noted above could result in an audit or enforcement action. Additional information is needed for the following 5 item(s):

1. Schedule A-P of your report discloses one or more contributions that appear to exceed the limits set forth in the Act (see attached).

An individual or a political committee other than an authorized committee or qualified multi-candidate committee may not make a contribution(s) to a candidate for federal office in excess of \$2,500 per election. An authorized committee may not make a contribution(s) to a candidate for federal office in excess of \$2,000 per election. A qualified multi-candidate committee and all affiliated committees may not make a contribution(s) to a candidate for federal office in excess of \$5,000 per election. The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office. (2 U.S.C. § 441a(a) and (f); 11 CFR § 110.1(b), (e) and (k))

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you must amend your original report with the clarifying information. If any contribution you received exceeds the limits, you may have to refund the excessive amount.

Excessive contributions may be retained if, within 60 days of receipt, the excessive portions are properly redesignated or redistributed. Guidelines for

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## RON PAUL 2012 PRESIDENTIAL CAMPAIGN COMMITTEE INC.

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each option are provided below.

For reattributions, excessive contributions from individuals can be retained if, within 60 days of receipt, the excessive amount is properly reattributed to another person. Please note that reattributions only apply to excessive contributions from individuals. An excessive contribution is considered properly reattributed if (1) the contributors provide the committee with written documentation, signed by each contributor, authorizing a reattribution and indicating the amount of the contribution to be attributed to each contributor; or (2) the committee reattributes by presumption the excessive portion of the contribution if the contribution was made on a written instrument from a joint account and was signed by only one of the account holders. In this case, the treasurer must notify the contributors in writing within 60 days of receiving the contribution that the committee intends to reattribute the excessive portion and must give the contributor an opportunity to request a refund. (11 CFR § 110.1(k)(3)(ii)(B))

For redesignations, the funds can be retained if, within 60 days of receipt, the excessive amount is properly redesignated for a different election. An excessive contribution is considered properly redesignated if (1) the committee obtains signed written documentation from the contributor(s) authorizing the redesignation of the contribution for another election, provided that the new designation does not exceed the limitations on contributions made with respect to that election; or (2) your committee redesignates by presumption the excessive portion of the contribution for another election provided that the new designation does not exceed the limitations on contributions made with respect to that election. In this case, the treasurer must notify the contributor of the redesignation in writing within 60 days of the treasurer's receipt of the contribution. The notification must give the contributor an opportunity to request a refund. (11 CFR § 110.1(b)(5)(ii)(B)). Please note that you cannot presumptively redesignate an excessive contribution from a multi-candidate committee. Also, a contribution can only be redesignated to a previous election to the extent that the contribution does not exceed the committee's net debts outstanding for that election. (11 CFR § 110.1(b)(3)(i))

If the foregoing conditions for reattributions or redesignations are not met within 60 days of receipt of the contribution, the excessive amount must be refunded. See 11 CFR § 103.3(b)(1).

Please inform the Commission of your corrective action immediately in writing and provide photocopies of any refund checks and/or letters reattributing or

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**RON PAUL 2012 PRESIDENTIAL CAMPAIGN COMMITTEE INC.**

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redesignating the contributions in question. Refunds are reported on Line 28(a), (b), or (c), as applicable, of the Detailed Summary Page and on a supporting Schedule B-P of the report covering the period in which they are made. Redesignations and reattributions are reported as memo entries on Schedule A-P of the report covering the period in which the authorization for the redesignation and/or reattribution is received. (11 CFR § 104.8(d)(2), (3) and (4))

Although the Commission may take further legal action concerning the acceptance of excessive contributions, your prompt action to refund, redesignate, and/or reattribute the excessive amount will be taken into consideration.

2. Schedule A-P of your report (see attached) discloses contributions from Individuals who have a mailing address outside of the United States of America. Please be advised that 2 U.S.C. §441e(a) and 11 CFR §110.20 prohibit foreign nationals from making contributions in connection with any election for political office or in connection with any primary election, convention, or caucus held to select candidates for any political office.

If the apparently prohibited contribution(s) in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information.

If you have received a contribution from a foreign national, you must refund the impermissible contribution to the donor in accordance with 11 CFR §103.3(b). Please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for the refund. In addition, any refunds should be disclosed on Schedule B-P supporting Line 28(a) of the report during which the transaction was made.

Although the Commission may take further legal action concerning the acceptance of a prohibited contribution, prompt action on your part to refund or provide clarifying information concerning these contributions will be taken into consideration.

3. Schedule A-P of your report discloses one or more contributions from an organization(s), which is not a political committee registered with the Commission (see attached). In order for your committee to accept contributions from unregistered organizations, your committee should take steps to ensure that the contributor(s) used permissible funds to make the contribution(s) to avoid violating 2 U.S.C. §§441a(f) and 441b or 11 CFR

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**RON PAUL 2012 PRESIDENTIAL CAMPAIGN COMMITTEE INC.**

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**§102.5(b). Under 11 CFR §102.5(b), organizations which are not political committees under the Act and choose to contribute in federal committees must either: (1) establish a separate account which contains only those funds permitted under the Act, or (2) demonstrate through a reasonable accounting method that the organization has received sufficient funds subject to the limitations and prohibitions in order to make the contribution.**

**If any apparently prohibited contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information. In addition, please clarify whether the contribution(s) received from the referenced organization(s) is permissible.**

**If you have received prohibited contributions, you must make a refund. (11 CFR § 103.3(b)(1)) The refund must be made within 30 days of the treasurer becoming aware of the illegality of the contribution. (11 CFR § 103.3(b)(2))**

**Please inform the Commission of your corrective action immediately and provide a photocopy of any refund checks. Refunds must be reported on a Schedule B-P supporting Line 28(b) of the report covering the period in which the refund was made. (11 CFR § 104.9(d)(4)).**

**Although the Commission may take further legal action concerning the acceptance of prohibited contributions, your prompt action to refund the prohibited amount will be taken into consideration.**

**4. Schedule B supporting Line 23 of your report discloses a disbursement to Liberty PAC on 12/22/2011 in the amount of \$20,000 for "Reimbursement Expenses," with a memo entry to South Carolina Republican Party for "Filing Fee." Liberty PAC reported an in-kind contribution to your committee in the amount of \$25,000 made on 5/2/11 to South Carolina Republican Party for "Filing Fee." However, the receipt of this in-kind contribution is not disclosed on any reports filed by your committee to date.**

**Please be advised that the value of in-kind contributions must be added to the receipts and disbursements totals for the applicable reporting period and itemized on the appropriate Schedules A-P and B-P. (11 CFR § 104.13(a)) Please amend your report(s) or provide clarifying information.**

**5. Your Amended 2011 October Quarterly Report, received 1/31/12 and Amended 2011 Year-End Report, received 2/20/12 disclose a substantial increase in the amount of receipts and disbursements from those disclosed on your original reports (see attached). Please amend your report or provide an**

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RON PAUL 2012 PRESIDENTIAL CAMPAIGN COMMITTEE INC.

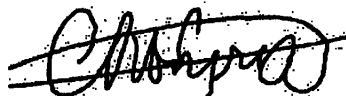
Page 5 of 5

explanation to clarify why this additional activity was not provided with your original reports. (11 CFR § 104.3)

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. Requests for extensions of time in which to respond will not be considered.

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1161.

Sincerely,



Christopher Whyrick  
Senior Campaign Finance Analyst  
Reports Analysis Division

**Overview of Increased Activity**

**Ron Paul 2012 Presidential Campaign Committee, Inc. (C00495820)**

*Overview of Additional Receipts*

Report Name	Total Additional Receipts	Line Number(s)
2011 October Quarterly Report/Amended 2010 October Quarterly Report, received 1/31/12	\$1,700.00	17(a)(iii)
2011 Year End Report/Amended 2011 Year-End Report, received 2/20/12	\$500,000.00	18
<b>Total Additional Receipts</b>	<b>\$501,700.00</b>	

*Overview of Additional Disbursements*

Report Name	Total Additional Disbursements	Line Number(s)
2011 October Quarterly Report/Amended 2010 October Quarterly Report, received 1/31/12	\$1,700.00	23
2011 Year End Report/Amended 2011 Year-End Report, received 2/20/12	\$5,649.65	23
<b>Total Additional Disbursements</b>	<b>\$7,349.65</b>	

**Total Increase in Activity on Amended Reports: \$509,049.65**

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**EXHIBIT D**

# RON PAUL

2012  
RESTORE AMERICA NOW

RECEIVED

845 W. Plantation Dr. ★ Clute, TX 77931  
www.RonPaul2012.com

APR 19 AM 11:34  
FEC MAIL CENTER

April 18, 2012

Federal Election Commission  
Attn: Christopher Whyrick  
Reports Analysis Division  
Washington, DC 20463

ID NUMBER: C00495820 – Ron Paul 2012 Presidential Campaign Committee, Inc.

REFERENCE: AMENDED YEAR-END REPORT (10/01/2011 – 12/31/2011) RECEIVED 02/20/2012

Dear Mr. Whyrick:

This letter is a response to your letter to the Ron Paul 2012 Presidential Campaign Committee, Inc. dated March 14, 2012.

Item #1 – In response to Schedule A-P disclosing contributors that appear to be exceeding the contribution limit allowed. The Campaign has refunded, and/or reattributed the excess contributions reported by the contributors listed in the letter. Copies of refund checks, credits and reattribution requests have been sent to the Commission by Federal Express delivery. The contributions listed from Kenneth Blehl are actually from two different people (father and adult son) with two different addresses. One resides at N Circulo Zagala and the other at East Fox Circle.

Item #2 – Schedule A-P disclosure of contributions from individuals with mailing addresses outside of the United States of America. The Campaign makes every effort to confirm citizenship of any donor submitting a foreign address. All donors contributing through the campaign's website, must confirm their citizenship status online. Contributions received by donors submitting a foreign address through the mail are contacted to confirm their U.S. citizenship by mail, phone or email. It is accounting policy to place in the comment field below the donation on Schedule A the term "U.S. Citizen Living Abroad" to denote this confirmation. The amended report filed on April 18, 2012 now shows that statement along with the applicable donation for those confirmed. One refund was issued to David Culbertson and a copy of his credit card return is enclosed. Susan Westfall's record containing a foreign address was incorrect. Her records have been updated to disclose her Bath, ME address.

Item #3 – Schedule A-P disclosure of contributions from organizations that are political committees not registered with the Commission. The Campaign has received confirmation from both the Committee to elect Glen A. Bradley and the Ken Clark Campaign that the funds used to donate to the Ron Paul 2012 Presidential Campaign Committee, Inc. were obtained within the rules and regulations of the Federal Election Campaign Act.

Authorized and sent for by Ron Paul 2012 PCC

13044340493  
12030790169

Item #4 – Schedule B – The In-kind contribution from Liberty PAC received on 5/2/2011 now appears in the amended second quarter report filed with the Commission on April 18, 2012. It was unintentionally left off of the original filing and first amendment.

Item #5 – Amended October Quarterly Report and Amended 2011 Year-End Report Increase in receipts and disbursements.

The increase in receipts of \$1,700.00 and increase in disbursements of \$1,700.00 on the 2011 October Quarterly Amended Report consists of seven in-kind contributions that were inadvertently left off of the original filing.

The increase in receipts of \$500,000.00 on the 2011 Amended Year-End Report is a committee transfer from the Committee to Re-Elect Ron Paul that was inadvertently left off of the original filing. The amended report was filed to properly report this transfer.

The increase in disbursements of \$5,649.65 on the 2011 Amended Year End Report is the net effect of corrections made regarding expenses. All expenses requiring to be itemized now show on the amended filing.

Please let me know if any additional information is needed.

Sincerely,



Lori Pyeatt  
Treasurer

13044340484  
12030790170

13044340495

**EXHIBIT E**

**FEC  
FORM 3P****REPORT OF RECEIPTS  
AND DISBURSEMENTS**BY AN AUTHORIZED COMMITTEE OF A CANDIDATE  
FOR THE OFFICE OF PRESIDENT OR VICE PRESIDENT

Office Use Only

1. NAME OF COMMITTEE (In full, type or print)

Example: If typing, type over the lines.

12FE4M5

**Ron Paul 2012 Presidential Campaign Committee Inc.**

ADDRESS (number and street)

845 W Plantation Dr

Check if different  
than previously  
reported. (ACC)

City

CITY

TX

STATE

77631

ZIP CODE

2. FEC IDENTIFICATION NUMBER

C

C00495820

3. THIS REPORT IS FOR Primary or General

4. TYPE OF REPORT (Choose One)

Check here if this is a Termination Report (TER)

Quarterly Reports:Monthly Reports:April 15 (Q1) ☒ October 15 (Q3)

July 15 (Q2) January 31 Year-End Report (YE)

Feb 20 (M2)

May 20 (M5)

Aug 20 (M8)

Nov 20 (M11)

Mar 20 (M3)

Jun 20 (M6)

Sep 20 (M9)

Dec 20 (M12)

Apr 20 (M4)

Jul 20 (M7)

Oct 20 (M10)

Jan 31 (YE)

Thirtieth day report following the General Election

M M / D D / Y Y Y Y

on

Twelfth day report preceding

M M / D D / Y Y Y Y

on

In the State of

Is this Report an Amendment?

☒

yes no

5. Covering Period

07

01

2011

through

09

30

2011

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

Lori Pyeatt

Signature of Treasurer

Lori Pyeatt

[Electronically Filed]

Date

01

31

2012

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g.  
All previous versions of this form are obsolete and should no longer be used.Office  
Use  
Only

13044340496



# **SCHEDULE A-P** **ITEMIZED RECEIPTS**

Use separate schedule(s)  
for each category of the  
Detailed Summary Page.

FOR LINE NUMBER:  
(check only one)

PAGE 1146 / 8885

16	<input checked="" type="checkbox"/> 17a	17b	17c	17d	18
19a	19b	20a	20b	20c	21

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)

**Ron Paul 2012 Presidential Campaign Committee Inc.**

**A. Full Name (Last, First, Middle Initial)**

**Shane L. Stevens**

Mailing Address **2811 N 15th St**

City

**Phoenix**

State

**AZ**

Zip Code

**85006-1128**

FEC ID number of contributing  
federal political committee.

**C**

Name of Employer

**self-employed**

Occupation

**game design**

Receipt For: 2012

☒ Primary ☐ General  
☐ Other (specify) ▼

Election Cycle-to-Date ▼

**476.00**

Transaction ID : **0854885**

Date of Receipt

**08 / 02 / 2011**

Amount of Each Receipt this Period

**50.00**

**B. Full Name (Last, First, Middle Initial)**

**Mr. Ronald P MacDonald**

Mailing Address **PO Box 2894**

City

**Guerneville**

State

**CA**

Zip Code

**95446-2894**

FEC ID number of contributing  
federal political committee.

**C**

Name of Employer

**Self-Employed**

Occupation

**Law**

Receipt For: 2012

☒ Primary ☐ General  
☐ Other (specify) ▼

Election Cycle-to-Date ▼

**242.86**

Transaction ID : **0980016**

Date of Receipt

**08 / 02 / 2011**

IN-KIND: Coin

Amount of Each Receipt this Period

**242.86**

**C. Full Name (Last, First, Middle Initial)**

**Pam MacDonald**

Mailing Address **PO Box 2894**

City

**Guerneville**

State

**CA**

Zip Code

**95446**

FEC ID number of contributing  
federal political committee.

**C**

Name of Employer  
**Requested**

Occupation  
**Requested**

Receipt For: 2012

☒ Primary ☐ General  
☐ Other (specify) ▼

Election Cycle-to-Date ▼

**242.86**

Transaction ID : **0980017**

Date of Receipt

**08 / 02 / 2011**

IN-KIND: Coin

Amount of Each Receipt this Period

**242.86**

Subtotal Of Receipts This Page (optional)

**535.72**

Total This Period (last page this line number only)

# **SCHEDULE A-P** **ITEMIZED RECEIPTS**

Use separate schedule(s)  
for each category of the  
Detailed Summary Page.

FOR LINE NUMBER:  
(check only one)

PAGE 114778895

16 17a 17b 17c 17d 18  
19a 19b 20a 20b 20c 21

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)

**Ron Paul 2012 Presidential Campaign Committee Inc.**

**A. Full Name (Last, First, Middle Initial)**

**Annette Elise**

Mailing Address **8880 McKinley Ave**

City

**Sebastopol**

State

**CA**

Zip Code

**95472**

FEC ID number of contributing  
federal political committee.

**C**

Name of Employer

**Requested**

Occupation

**Requested**

Receipt For: 2012



Primary



General

Other (specify) ▼

Election Cycle-to-Date ▼

**242.86**

Transaction ID: **0980018**

Date of Receipt

**08 02 2011**

IN-KIND: Coin

Amount of Each Receipt this Period

**242.86**

**B. Full Name (Last, First, Middle Initial)**

**Dr. Silvano Senn**

Mailing Address **120 Pleasant Hill Ave Ste 150**

City

**Sebastopol**

State

**CA**

Zip Code

**95472**

FEC ID number of contributing  
federal political committee.

**C**

Name of Employer

**Self**

Occupation

**Dentist**

Receipt For: 2012



Primary



General

Other (specify) ▼

Election Cycle-to-Date ▼

**242.86**

Transaction ID: **0980020**

Date of Receipt

**08 02 2011**

IN-KIND: Coin

Amount of Each Receipt this Period

**242.86**

**C. Full Name (Last, First, Middle Initial)**

**Dr. Toni Mann**

Mailing Address **120 Pleasant Hill Ave Ste 150**

City

**Sebastopol**

State

**CA**

Zip Code

**95472**

FEC ID number of contributing  
federal political committee.

**C**

Name of Employer

**Self**

Occupation

**Dentist**

Receipt For: 2012



Primary



General

Other (specify) ▼

Election Cycle-to-Date ▼

**242.86**

Transaction ID: **0980021**

Date of Receipt

**08 02 2011**

IN-KIND: Coin

Amount of Each Receipt this Period

**242.86**

Subtotal Of Receipts This Page (optional)

**728.58**

Total This Period (last page this line number only)

# **SCHEDULE A-P** **ITEMIZED RECEIPTS**

Use separate schedule(s)  
for each category of the  
Detailed Summary Page

FOR LINE NUMBER:  
(check only one)

PAGE 1148 / 8695

16 17a 17b 17c 17d 18  
19a 19b 20a 20b 20c 21

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)

**Ron Paul 2012 Presidential Campaign Committee Inc.**

**A. Full Name (Last, First, Middle Initial)**

**Dr. Robert Rowen**

Mailing Address **321 S Main St # 557**

City  
**Sebastopol**

State  
**CA**

Zip Code  
**95472-4208**

FEC ID number of contributing  
federal political committee.

**C**

Name of Employer  
**Detlined Personal consultant**

Occupation  
**Physician**

Receipt For: **2012**

☒ Primary ☐ General  
☐ Other (specify) ▼

Election Cycle-to-Date ▼

**242.85**

Transaction ID: **0980022**

Date of Receipt

**08 02 2011**

IN-KIND: Coin

Amount of Each Receipt this Period

**242.85**

**B. Full Name (Last, First, Middle Initial)**

**Dr. Terri Su**

Mailing Address **321 S Main St #537**

City  
**Sebastopol**

State  
**CA**

Zip Code  
**95472**

FEC ID number of contributing  
federal political committee.

**C**

Name of Employer  
**Self**

Occupation  
**Physician**

Receipt For: **2012**

☒ Primary ☐ General  
☐ Other (specify) ▼

Election Cycle-to-Date ▼

**242.85**

Transaction ID: **0980023**

Date of Receipt

**08 02 2011**

IN-KIND: Coin

Amount of Each Receipt this Period

**242.85**

**C. Full Name (Last, First, Middle Initial)**

**Zach Thurman**

Mailing Address **4732 E Circle Dr NW**

City  
**Cleveland**

State  
**TN**

Zip Code  
**37312-4103**

FEC ID number of contributing  
federal political committee.

**C**

Name of Employer  
**Amett, Kirksey, Kimesy, Sullivan,**

Occupation  
**Accountant**

Receipt For: **2012**

☒ Primary ☐ General  
☐ Other (specify) ▼

Election Cycle-to-Date ▼

**283.30**

Transaction ID: **0748306**

Date of Receipt

**08 03 2011**

Amount of Each Receipt this Period

**83.30**

Subtotal Of Receipts This Page (optional)

**569.00**

Total This Period (last page this line number only)

13044340499